

REMARKS

This responds to the Office Action mailed on June 8, 2005.

Claims 12-13, 18, and 23-24 are amended, no claims are canceled or added; as a result, claims 1-31 are now pending in this application.

Rejections under 35 U.S.C. § 101

Claims 12-24 and 28-30 are rejected as being directed to non-statutory subject matter because the claims are directed to "A machine readable document encoded in a carrier medium. . . ." Applicant respectfully disagrees. Nevertheless, Applicant has amended independent claims 12, 13, 18, 23, and 24, from which the other rejected claims depend, to replace the word "carrier" with "tangible." Applicant respectfully submits that tangible medium is supported by the specification as originally filed. Applicant further submits that a tangible medium is clearly statutory subject matter. Reconsideration of claims 12-24 and 28-30 is earnestly requested.

Rejections under 35 U.S.C. § 102

Claims 1, 13, 25-26, 29, and 31 are rejected under 35 U.S.C. § 102(b) as being anticipated by Thielens et al. (U.S. Patent No. 5,666,139; hereinafter "Thielens"). Applicant respectfully traverses this rejection because Thielens fails to teach or suggest all of the claim elements.

For example, claim 1 specifies not only "two or more adjacent columns . . . on a single page" but also that "the columns remain fixed to a single page while scrolling through the line-formatted materials."

The Office Action at page four asserts that Thielens teach these portions of claim 1.

The Office Action asserts with reference to Thielens figures 3-5 and 6, "Thielens discloses adjacent columns. It is noted that Thielens shows page numbering (<1>, <2> etc.) at top right of each screen. Since page 2 typically follows page 1 (and since documents are typically read (line by line) from top to bottom), the single textual column bottom of page one is adjacent to the single column top of page two (two adjacent columns)."

Applicant does not agree with these assertions in the context of the present application. However, even if these assertions were true, there is no teaching in Thielens, and no assertion of such a teaching in the Office Action, of “two or more adjacent columns . . . on a single page” that “remain fixed to the single page while scrolling through the line formatted materials” as claimed. Thielens does not disclose two columns on a single page nor the columns remaining fixed while the text scrolls. Instead, Thielens describes stationary text formatted in stationary columns. Thus, the difference between Thielens and claim 1 is that in Thielens, the single column spans multiple pages and the text are stationary on a page when scrolled. Conversely, in claim 1, the two or more columns are fixed to a single page while the text moves from one column to the next while scrolling.

Thus, independent claim 1 is patentable at least because claim 1 is to stationary columns of non-stationary text while Thielens describes stationary columns and stationary text.

Independent claims 13 and 25 are similar to independent claim 1 and are patentable for at least the same reason.

Claims 26, 29, and 31 depend, either directly or indirectly, from independent claims 1, 13, and 25, respectively, and are patentable for at least the same reasons.

Reconsideration and allowance of claims 1, 13, 25-26, 29, and 31 is earnestly requested.

Rejections under 35 U.S.C. § 103

Claims 2-3, 5, 14-15, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Thielens.

Claims 2-3 and 5 depend from patentable independent claim 1. Claims 14-15 and 17 depend from patentable independent claim 13. Thus, claims Applicant respectfully submits that the claims are 2-3, 5, 14-15, and 17 are patentable for at least the same reasons as the claim from which they depend.

Claims 4 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Thielens in view of Haran (U.S. Patent No. 6,072,461; hereinafter “Haran”).

Claims 4 and 16 depend from patentable independent claims 1 and 13 and are patentable for at least the same reasons. Haran is provided to teach elements of claims 4 and 16 regarding a microphone. However, Haran fails to cure the deficiencies of Thielens discussed above with

regard to the § 102(b) rejection of claim 1. Thus, Applicant respectfully submits that claims 4 and 16 are patentable because they depend from patentable independent claims and because Haran fails to cure the deficiencies of Thielens.

Reconsideration and allowance of claims 2-5, 14-15, and 16-17 is earnestly requested.

Allowable Subject Matter

Applicant acknowledges that claims 6-8, 10-11, and 27 are allowed.

With regard to claims 12, 18-24, 28, and 30, the § 101 rejection has been overcome. Thus, Applicant respectfully requests allowance of claims 12, 18-24, 28, and 30.

With regard to claim 9, Applicant has chosen not to amend the claim as it depends from claim 1, which Applicant submits is in condition for allowance.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 349-9592) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Oct. 11, 2005

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 11th day of October, 2005.

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